

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1540

Introduced by Assembly Member Runner

February 21, 2003

An act to amend Section 5354 of the Business and Professions Code, relating to outdoor advertising.

LEGISLATIVE COUNSEL'S DIGEST

AB 1540, as amended, Runner. Outdoor advertising: permits.

The Outdoor Advertising Act regulates the placement of advertising displays adjacent to and within specified distances of highways that are part of the national system of interstate and defense highways or the federal-aid primary highway system. Existing law requires an applicant for an advertising display permit to, among other things, offer written evidence that both the owner or person in control of the property and the city or county in which the property is located consent to the placing of the advertising display.

This bill would exempt applications for the renewal of a valid existing permit *that was received on or before December 31, 2002*, from these consent requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5354 of the Business and Professions
- 2 Code is amended to read:

1 5354. (a) The applicant for a new or original permit shall
2 offer written evidence that both the owner or other person in
3 control or possession of the property upon which the location is
4 situated and the city or the county with land use jurisdiction over
5 the property upon which the location is situated have consented to
6 the placing of the advertising display.

7 (b) At the written request of the city or county with land use
8 jurisdiction over the property upon which a location is situated, the
9 department shall reserve the location and shall not issue a permit
10 for that location to any applicant, other than the one specified in
11 the request, in advance of receiving written evidence as provided
12 in subdivision (a) and for a period of time not to exceed 90 days
13 from the date the department received the request.

14 (c) In addition to the 90-day period set forth in subdivision (b),
15 an additional period of 30 days may be granted at the discretion of
16 the department upon any proof, satisfactory to the department and
17 provided by the city or county making the original request for a
18 90-day period, of the existence of extenuating circumstances
19 meriting an additional 30 days. There shall be a conclusive
20 presumption in favor of the department that the granting or denial
21 of the request for an additional 30 days was made in compliance
22 with this subdivision.

23 (d) This section does not apply to an application for renewal of
24 a valid existing permit *that was received on or before December*
25 *31, 2002.*

